

UNITED STATES DISTRICT COURT

District of Nevada

UNITED STATES OF AMERICA

v.

RONALD HASSAN CLARK

SECOND AMENDED JUDGMENT IN A CRIMINAL CASE

Case Number: 2:17-cr-00152-RFB-1

USM Number: 53851-048

Date of Original Judgment: 9/25/2017
(Or Date of Last Amended Judgment)

* CRISTEN THAYER, AFPD
Defendant's Attorney

THE DEFENDANT:

☒ pleaded guilty to count(s) One and Two of the Criminal Information filed 6/05/2017.

☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.

☐ was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. § 1951(a)	Interference with Commerce by Robbery	12/19/2016	1
18 U.S.C. § 924(c)(1)(A)(ii)	Brandishing of a Firearm in Furtherance of a Crime of Violence	12/19/2016	2

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____

☐ Count(s) _____ ☐ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

*

10/20/2020

Date of Imposition of Judgment



Signature of Judge

RICHARD F. BOULWARE, II

U.S. District Judge

Name and Title of Judge

10/20/2020

Date

DEFENDANT: RONALD HASSAN CLARK
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IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of : Twelve (12) months as to Count One to run consecutive to Count Two.
Time served as to remaining Two of the Criminal Information.

- ☒ The court makes the following recommendations to the Bureau of Prisons:
The Court makes the recommendation that defendant be permitted to participate in the RDAP Program and defendant be permitted to serve his term of incarceration in a facility in New Jersey to be near family members.
- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district:
☐ at _____ ☐ a.m. ☐ p.m. on _____ .
☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
☐ before 2 p.m. on _____ .
☐ as notified by the United States Marshal.
☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____ with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: RONALD HASSAN CLARK

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SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of :

Three (3) years as to Count One; Four (4)years as to Count Two; Both Counts to run concurrent to one another.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually..
☐ The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. ☐ You must make restitution in accordance with 18 U.S.C. § 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. ☒ You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. ☐ You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. ☐ You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

DEFENDANT: RONALD HASSAN CLARK

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STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. ~~If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.~~
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the specific risks posed by your criminal record and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the specific risks posed by your criminal record.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: www.uscourts.gov.

Defendant's Signature _____

Date _____

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SPECIAL CONDITIONS OF SUPERVISION

1. **Substance Abuse Treatment** – You must participate in an outpatient substance abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.). You must pay the costs of the program.
2. **Drug Testing** – You must submit to substance abuse testing to determine if you have used a prohibited substance. Testing shall not exceed 104 tests per year. You must pay the costs of the testing. You must not attempt to obstruct or tamper with the testing methods.
3. **Mental Health Treatment** – You must participate in a mental health treatment program and follow the rules and regulations of that program. The probation officer, in consultation with the treatment provider, will supervise your participation in the program (provider, location, modality, duration, intensity, etc.). You must pay the costs of the program.
4. **Search and Seizure** – You must submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States Probation Officer. Failure to submit to a search may be grounds for revocation of release. You must warn any other occupants that the premises may be subject to searches pursuant to this condition.

The probation officer may conduct a search under this condition only when reasonable suspicion exists that you have violated a condition of supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.
5. **Home Confinement** - You shall be confined to home confinement for one (1) year after you are released from custody.
6. **Drug Treatment** - You shall be required to participate and complete a drug treatment program while on home confinement.
7. **Employment** - You shall be required to obtain full-time employment prior to being released from home confinement. Failure to obtain full time employment within a year of your commencement of supervision will be considered a violation of conditions of supervision.
8. **Community Service** - You shall be required to complete 300 hours of community service as approved and directed by the Probation Department.
9. **Vocational or Education Program** - You shall be required to enroll in a vocational or educational program prior to your release to home confinement.
10. **Life-plan** - You shall be required to meet with this Court, prior to your release from home confinement, to review your plans upon your release from home confinement.
11. **Status Check** - You shall be required to meet this this Court to discuss your plan and conditions of supervision going forward within 30 days of release from custody.

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CRIMINAL MONETARY PENALTIES

The defendant must pay the following total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA Assessment*</u>	<u>JVTA Assessment**</u>
TOTALS	\$ 200.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.

☐ The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss***</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
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TOTALS	\$ _____	0.00	\$ _____	0.00
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☐ Restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest, and it is ordered that:

☐ the interest requirement is waived for ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299.

** Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

*** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A ☒ Lump sum payment of \$ 200.00 due immediately, balance due.
- ☐ not later than _____, or
☐ in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Case Number Defendant and Co-Defendant Names (including defendant number)	Total Amount	Joint and Several Amount	Corresponding Payee, if appropriate.
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- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☒ The defendant shall forfeit the defendant's interest in the following property to the United States:
See Amended Final Order of Forfeiture (attached).

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVTa assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.

✓ FILED ENTERED	✓ RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
MAR - 5 2018	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	2:17-CR-152-RFB
)	
Plaintiff,)	
)	
v.)	Amended Final Order of Forfeiture
)	
RONALD HASSAN CLARK,)	
)	
Defendant.)	

The United States District Court for the District of Nevada entered an Amended Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States Code, Section 924(d)(1) with Title 28, United States Code, Section 2461(c); and Title 18, United States Code, Section 924(d)(1), (2)(C), and (3)(A) with Title 28, United States Code, Section 2461(c) based upon the plea of guilty by defendant Ronald Hassan Clark to the criminal offenses, forfeiting the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Information and shown by the United States to have the requisite nexus to the offenses to which defendant Ronald Hassan Clark pled guilty. Criminal Information, ECF No. 22; Plea Agreement, ECF No. 20; Arraignment and Plea, ECF No. 24; Amended Preliminary Order of Forfeiture, ECF No. 37.

This Court finds the United States of America published the notice of forfeiture in accordance with the law via the official government internet forfeiture site, www.forfeiture.gov, consecutively from August 8, 2017, through September 6, 2017, and November 22, 2017,

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1 through December 21, 2017, notifying all potential third parties of their right to petition the
2 Court. Notice of Filing Proof of Publication, ECF Nos. 33 and 41.

3 This Court finds the United States of America notified known third parties by personal
4 service, or by regular mail and certified mail return receipt requested, of their right to petition the
5 Court. Notice of Filing Service of Process – Personal Service, ECF No. 42.

6 On January 11, 2018, the Federal Bureau of Investigation personally served Shay Mourik
7 with copies of the Amended Preliminary Order of Forfeiture and the Notice. Notice of Filing
8 Service of Process – Personal Service, ECF No. 42.

9 On February 9, 2018, the United States filed a Stipulation for Entry of Order of Forfeiture
10 and for Return of a Beretta PX Storm, .40 caliber semi-automatic handgun as to Shay Mourik,
11 and Order (ECF No. 43).

12 On 3-5 2018, the Court granted the Stipulation for Entry of Order of Forfeiture
13 and for Return of a Beretta PX Storm, .40 caliber semi-automatic handgun as to Shay Mourik
14 (ECF No. 48).

15 This Court finds no petition was filed herein by or on behalf of any person or entity and
16 the time for filing such petitions and claims has expired.

17 This Court finds no petitions are pending with regard to the property named herein and
18 the time for presenting such petitions has expired.

19 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all
20 possessory rights, ownership rights, and all rights, titles, and interests in the property hereinafter
21 described is condemned, forfeited, and vested in the United States of America pursuant to Fed.
22 R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P. 32.2(c)(2); Title 18, United States Code,
23 Section 924(d)(1) with Title 28, United States Code, Section 2461(c); Title 18, United States
24 Code, Section 924(d)(1), (2)(C), and (3)(A) with Title 28, United States Code, Section 2461(c);
25 and Title 21, United States Code, Section 853(n)(7) and shall be disposed of according to law

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1 and the Stipulation for Entry of Order of Forfeiture and for Return of a Beretta PX Storm, .40
2 caliber semi-automatic handgun as to Shay Mourik:

- 3 1. a Beretta PX4 Storm, .40 caliber semi-automatic handgun, bearing serial number
4 PY27692; and
5 2. any and all ammunition
6 (all of which constitutes property).

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited
8 funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well
9 as any income derived as a result of the United States of America's management of any property
10 forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of
11 according to law.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
13 of this Order to all counsel of record.

14 DATED this 5th day of March, 2018.

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17 UNITED STATES DISTRICT JUDGE
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